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**Permanent Forum on Indigenous Issues**
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Item 4 of the provisional agenda*
**Implementation of the recommendations on the six mandated areas of the Permanent Forum and on the Millennium Development Goals**

# Information received from the United Nations system and other intergovernmental organizations

## International Labour Organization

*Summary*

The present report of the International Labour Organization (ILO) to the United Nations Permanent Forum on Indigenous Issues at its seventh session outlines the current status of a number of ILO projects and programmes addressing indigenous issues and highlights the main substantial areas of ongoing work on indigenous issues carried out by ILO. The report brings together information and inputs relevant to indigenous and tribal peoples from different programmes within ILO. A number of suggestions are also included regarding the recommendations of the Permanent Forum and possible themes for its next session.**

* E/C.19/2008/1.

** The present report is structured according to the questionnaire provided by the secretariat of the Permanent Forum. In order to avoid duplication under several sections of the report, various issues are cross-referenced.

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# I. Recommendations addressed exclusively to the International Labour Organization

1. *The Permanent Forum calls on the International Labour Organization (ILO) to provide more information in the future on the status and trends in the practice of traditional occupations.*[1] During a process to develop indicators for monitoring the implementation of article 8 (j) of the Convention on Biological Diversity, "traditional occupations" was identified as such a possible indicator. Work is ongoing in ILO to begin to develop a methodological framework concerning traditional occupations as an indicator with a view to preparing a survey tool that can be tested in a selected group of countries, preferably together with the testing of other Convention indicators. From an ILO perspective, measuring the access of indigenous peoples to traditional occupations and the changes in the exercise of these practices over time would be of interest for assessing the decent work opportunities of indigenous peoples and as a means to monitor the practical application of Convention No. 111, as well as Conventions Nos. 107 and 169.

2. ILO is also paving the way for the development of indicators for the implementation of the provisions of Convention No. 169.

# II. Recommendations addressed to one or more agencies

3. *The Permanent Forum welcomes the decision of the Inter-Agency Support Group on Indigenous Issues to hold, on an exceptional basis, a meeting to consider appropriate ways of promoting, disseminating and implementing the Declaration on the Rights of Indigenous Peoples, once it is adopted by the General Assembly.*[2] With the advent of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples in September 2007, the Inter-Agency Support Group on Indigenous Issues agreed that it would hold an extraordinary meeting on the Declaration before the seventh session of the Permanent Forum. ILO, in collaboration with the Office of the United Nations High Commissioner for Human Rights (OHCHR), has organized an extraordinary meeting of the Support Group, to take place in February 2008, in order to discuss ways of disseminating, promoting and implementing the Declaration as well as Convention No. 169 as a package of rights that provide a universal human rights framework for indigenous peoples. Among the issues that will be discussed at the meeting are: how existing programmes of United Nations agencies, including at the country and regional level, contribute to the implementation of the Declaration and Convention No. 169; the steps that can be taken to ensure that Agency programmes reflect those established rights; the role of United Nations agencies and the Support Group in the promotion of the Declaration and steps that can be taken to that end.

4. *Recalling the Inter-Agency Support Group report on data disaggregation, the Permanent Forum calls for the implementation of the following recommendations:*

*(a) The United Nations system should use and further refine existing indicators, such as the common country assessment indicators, Millennium*

[1] *Official Records of the Economic and Social Council, 2007, Supplement No. 23* (E/2007/43), para. 122.

[2] Ibid., para. 34.

*Development Goals indicators, country progress reports, global monitoring instruments and human development indexes to measure the situation of indigenous and tribal peoples.*[3] The response to this recommendation is contained in section I of the present report, as well as in paragraph 9 on data collection and disaggregation.

# III. Information on themes addressed by the Permanent Forum

## A. Indigenous children and youth

5. ILO is responsible for several conventions that are of relevance to indigenous children. Apart from the Indigenous and Tribal Populations Convention, 1957 (No. 107) and the Indigenous and Tribal Peoples Convention, 1989 (No. 169), ILO has two conventions that deal with issues of minimum age of admission to employment (Convention No. 138) and the worst forms of child labour (Convention No. 182). In order to assist ILO staff and other practitioners in the implementation of projects for the elimination of child labour that affect indigenous peoples, the Project to Promote ILO Policy on Indigenous and Tribal Peoples (PRO 169) and the International Programme on the Elimination of Child Labour published the *Handbook on Combating Child Labour among Indigenous and Tribal Peoples*. The handbook has been widely distributed to a broad range of partners and can be found on the ILO website (www.ilo.org/indigenous).

## B. Indigenous women

6. Collaboration between PRO 169 and the Bureau for Gender Equality has resulted in efforts to map the particular employment concerns of indigenous women workers. More specifically, research has been undertaken to provide a better understanding of existing gender-based discrimination of indigenous workers in the context of the provisions set out in relevant international labour standards. The following studies were undertaken during 2007 in that regard:

(a) A case study on gender-related challenges among the indigenous peoples in Bangladesh;

(b) A case study on gender-related challenges among the indigenous peoples in Nepal;

(c) A desk review on the situation of indigenous women regarding discrimination in employment and occupation in Latin America to synthesize available research from the region.

7. The foregoing findings are forming the basis of a working paper with recommendations for a practical and integrated approach to addressing indigenous peoples' collective rights and combating gender discrimination in indigenous societies.

8. This will be of particular use in efforts to further mainstream gender into existing ILO programmes in the framework of promoting Convention No. 169 and

[3] Ibid., para. 124.

the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). Further information on recent work on Convention No. 111 and indigenous issues is contained in paragraphs 18 to 20 of the present report.

## C. Data collection and disaggregation

9. In most of the countries where ILO is undertaking programmes to support indigenous peoples, the lack of specific and adequate data is still a major obstacle, for example, when trying to target development interventions to the situation and needs of indigenous peoples. In countries such as Cambodia, Cameroon and Nepal, ILO is undertaking research that helps build a more comprehensive knowledge base on the situation of the various indigenous peoples, including gender-disaggregated information and data. **However, it should also be recognized that more comprehensive and systematic approaches are needed, in collaboration with national bureaux of statistics, to ensure that the concern for indigenous peoples is integrated with national data-gathering systems.**

10. With regard to specific ILO initiatives for data collection, information is provided in section I of the present report on the use of status and trends in traditional occupations as an indicator as well as the development of indicators for the implementation of Convention No. 169.

# IV. Obstacles to the implementation of the recommendations of the Permanent Forum

11. As discussed at the meeting of the Inter-Agency Support Group, held in Montreal, Canada, in September 2007, ILO considers that **improving the interactive dialogue between United Nations agencies and the members of the Permanent Forum before, during and after the annual sessions of the Forum would serve to ensure that the recommendations of the Forum better reflect the substantive contributions of the agencies and that such recommendations are technically accurate and within the mandate of agencies, to make certain they are given due respect and effectively acted upon. Moreover, it would serve to enhance the transparency with which the recommendations are drafted. Further guidance from the Forum on the content and structure of the agency contributions, as well as the portfolio system that has been adopted by the members of the Forum, is seen as a useful mechanism for achieving this. Training by United Nations agencies for the incoming members of the Forum would also be desirable.**

12. **In order to enable the Forum's recommendations to have a sustainable impact, it is important that its recommendations foresee results-oriented processes, as opposed to a number of individual activities. In that regard, it is also important to ensure that recommendations refer to a limited number of key subject areas, in order to make certain the feasibility of results and follow-up, in the context of longer-term processes.**

## V. Facilitating factors for the implementation of the recommendations of the Permanent Forum

13. The relevant information is contained in section IV of the present report.

## VI. International Labour Organization policy and tools on indigenous issues

14. ILO is responsible for a number of instruments that are directly relevant to indigenous peoples, such as the Indigenous and Tribal Populations Convention, 1957 (No. 107) and the Indigenous and Tribal Peoples Convention, 1989 (No. 169). A number of other ILO instruments are indirectly related to the protection of the rights of indigenous peoples, including the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); the Convention Concerning Forced Labour, 1930 (No. 29); the Abolition of Forced Labour Convention, 1957 (No. 105); the Minimum Age Convention, 1973 (No. 138); and the Worst Forms of Child Labour Convention, 1999 (No. 182). Those instruments are considered to be some of the ILO core conventions and as such they are of relevance to indigenous peoples. Moreover, they are generally very broadly ratified by the States members of ILO and can therefore be used by indigenous peoples as tools for the protection of their rights in countries that have not yet ratified Convention No. 169. PRO 169 has been examining the implications of a number of those core conventions for indigenous peoples, through research on their legal relevance (paras. 18-20 of the present report contain information on work on Convention No. 111), on the situation of indigenous peoples regarding the substantial matters covered by the conventions (paras. 6-8 of the present report contain information on the organization's recent research on indigenous peoples and gender issues) as well as associated tools.

15. As the tools associated with the aforementioned conventions are directly linked to ongoing technical cooperation activities and programmes, they are covered in sections III and VII of the present report.

## VII. Other significant information (recent programmes, budgetary allocations and projects/activities)

16. During 2007, one of the two main projects in the ILO addressing indigenous issues was reoriented. From February 2007, the Interregional Programme to Promote Self-reliance of Indigenous and Tribal Peoples through Cooperatives and Similar Self-help Organizations Project (INDISCO) became an integral part of the Local Economic Development (LED) programme within the Job Creation and Enterprise Development Department of ILO, thereby signalling a renewed approach to indigenous peoples' development based on the principles of local economic development. The changed approach has also ensured a closer integration of the activities of the two main elements of the indigenous peoples programme in ILO: PRO 169 and INDISCO, which now also operate under the same direction. Beginning in 2008, the project formerly known as INDISCO will operate under a new name: Indigenous Peoples and Local Economic Development (IP-LED).

**PRO 169**

17. PRO 169 continued its activities to promote ILO Convention No. 169 during 2007, including, inter alia, action to address discrimination. Two new ratifications were received during 2007, from Spain and Nepal. Furthermore, work continued in the area of poverty reduction strategy papers and various ongoing programmes at the national level. The main activities undertaken under this project during the period in question are outlined in paragraphs 18 to 20 of the present report.

**Mainstreaming Convention No. 111 to promote the right of indigenous and tribal peoples to equality of opportunity and treatment**

18. PRO 169 in a collaborative work. The Equality team published *Eliminating Discrimination against Indigenous and Tribal Peoples in Employment and Occupation: A Guide to ILO Convention No. 111*. The guide is a source of information and a tool for indigenous peoples to engage with policy and decision makers. It can also be a tool for Governments, employers and workers' organizations to promote the development and implementation of national laws and policies guided by Conventions Nos. 111 and 169 towards equality of opportunity and treatment in employment and occupation for indigenous peoples. The guide is available in English, French and Spanish.

**Studies on discrimination in employment and occupation and traditional occupations of indigenous peoples**

19. Using this approach, PRO 169 is also preparing case studies on Convention No. 111 in three particular contexts:

(a) A case study on the rights to lands, territories and resources and practices of pastoralism and hunting-gathering in Kenya;

(b) A case study on the right to practise shifting cultivation as a traditional occupation in Nepal;

(c) A case study on the right to practise shifting cultivation as a traditional occupation in Bangladesh.

**Studies on gender-related challenges and the situation of indigenous women regarding discrimination in employment and occupation**

20. Again, using Convention No. 111 as a basis, three studies were undertaken on the subject of gender and indigenous peoples. Further information is contained in paragraphs 6 to 8 of the present report.

**Promotion of indigenous and tribal peoples' rights through implementation of the principles of Convention No. 169**

21. PRO 169 has been implementing a three-year project to promote the rights of indigenous peoples with funding from the European Commission. The project has three components/objectives, which are outlined in paragraphs 22 to 31 below.

**Lessons learned and good practices concerning the implementation of the principles of Convention No. 169 are disseminated on a global scale**

22. The project aims to document and disseminate lessons learned and good practices for the implementation of the principles of Convention No. 169 on a global scale.

23. Following a series of regional consultations in 2006, the following topics were identified for case studies by PRO 169 partners: impact assessments; constitutional reform and development of legislation; self-management; land rights and natural resources; forest certification and indigenous participation; customary law; conflict prevention and resolution; development cooperation; employment and traditional economies; health; and culturally appropriate, bilingual education. During 2007, 12 case studies were initiated, covering all regions, and an overview study will be compiled during 2008. The results of the research will be used to discuss and disseminate best practices and lessons learned, with a particular focus on consultation and participation.

**The rights of indigenous populations/communities in Africa are promoted through documentation and discussion of relevant legal and constitutional provisions**

24. A three-year research project, undertaken in collaboration with the Working Group on Indigenous Populations/Communities of the African Commission on Human and Peoples' Rights, began in 2006. The project, which is being implemented through the Centre for Human Rights based in the University of Pretoria (South Africa), has two broad aims: to contribute to the development of a suitable policy and legal framework for the protection of the rights of indigenous peoples; and to build the capacity of relevant actors among indigenous peoples and Government institutions.

25. The main outcome of the research will be a comprehensive documentation and database of constitutional, legislative and administrative provisions in 25 African countries, to be disseminated to all actors engaged in the promotion and protection of indigenous and tribal peoples' rights in Africa. The research will also make possible continued dialogue in the African region on the protection of the rights of indigenous peoples. Whereas desk research will be undertaken on 25 African countries, 10 of those countries will also be the subject of country visits in order to conduct more in-depth study.

26. As indicated in last year's ILO report to the Permanent Forum (E/C.19/2007/3/Add.11), a workshop to define the scope and methodology for the research was held in Yaoundé in September 2006. During 2007, initial research was undertaken in 10 African countries: Burundi; the Central African Republic; the Democratic Republic of the Congo; Egypt; Eritrea; Ethiopia; Kenya; Namibia; Nigeria; and South Africa. A further 15 country studies are foreseen for 2008. Relevant documents for this project can be found on the ILO website.

**Government and indigenous institutions in Nepal, Bangladesh and India have enhanced their capacity for dialogue and implementation of the relevant ILO Conventions on Indigenous and Tribal Peoples' Rights (Nos. 107 and 169).**

**Capacity-building for dialogue in South Asia**

27. On 14 September 2007, Nepal ratified Convention No. 169. The ratification comes after several years of concerted efforts on the part of indigenous representatives in Nepal, key political allies and ILO.

28. Following ratification, Nepal has two years to align legislation and policies to the principles of the Convention and to develop the mechanisms necessary for its implementation. That period will coincide with the crucial Constituent Assembly in Nepal and it is thus of utmost importance that members of the Assembly have access to legal expertise and the capacity to ensure that the Constitution will be aligned with the provisions of the Convention. ILO is collaborating with the Government, indigenous representatives and donor agencies to explore ways of supporting this process in the coming years.

29. Following ratification, ILO supported several activities to promote the implementation of the Convention. A planning seminar for indigenous organizations was held in September 2007 to discuss strategies for promoting the implementation of the Convention. A national interaction programme on the implementation of the Convention was also carried out in September, with the participation of Government officials, Members of Parliament and representatives of political parties, indigenous peoples' organizations, as well as development experts and donor partners. A number of Nepali participants also attended ILO training courses on indigenous peoples' rights.

30. ILO has also supported an indigenous peoples' audit of the poverty reduction strategy paper. The results of the audit will be presented at a workshop involving relevant stakeholders in January or February in 2008, focusing on how to promote indigenous peoples' rights and development in central-level planning and programmes. Further information is provided below in the section on the poverty reduction strategy paper project. A series of studies have also been carried out focusing on the situation of indigenous women in Nepal, indigenous people and the Millennium Development Goals and the relevance of Conventions Nos. 111 and 169 to the practice of shifting cultivation, a traditional form of agriculture still practiced by a number of Nepal's indigenous groups.

31. It is hoped that the comprehensive approach to the implementation of Convention No. 169 supported by PRO 169 in Nepal will generate valuable lessons for other countries wishing to ratify the Convention.

**National programme in Cambodia**

32. With funding from the Danish Embassy in Phnom Penh, PRO 169 has been implementing a national programme on indigenous issues since 2005. The programme has secured funding for a new two-year phase of activities for 2009-2010, following the current phase. It focuses primarily on capacity-building for relevant actors in Government and civil society, including indigenous representatives and communities, and on the implementation of existing legislation authorizing indigenous peoples to own land collectively. The overall objective of the programme is for indigenous communities to be recognized as legal entities with

rights to land and resources and to have the capacity to decide their own priorities for development. Within that framework, the programme has three immediate objectives: (a) Government institutions have the capacity to adequately implement legal and administrative provisions on governance, land and resources, for the benefit of indigenous peoples; (b) indigenous communities have the capacity to organize themselves as legal entities with rights to land and resources and to define community development plans; and (c) indigenous organizations have the capacity to represent and defend their concerns and rights and conduct training for indigenous communities.

33. During 2007, PRO 169 in Cambodia undertook the following activities:

(a) Study on the process of drafting and registering by-laws to enable indigenous communities to register as legal entities, in order to enable them to register collective land titles. The study made an evaluation of the legal and methodological challenges associated with the by-law process so far and its recommendations will feed into a dialogue workshop that will identify ways in which to address those challenges and scale up the registration of by-laws during 2008-2010;

(b) Study on the legal framework and proposal for a sub-decree on shifting cultivation within the framework of the Forestry Law. The recommendations from the study will feed into a national discussion on the drafting and adoption of the aforementioned sub-decree;

(c) Study on the institutional and practical entry points for the inclusion of indigenous issues in the poverty reduction strategy paper process. Two provincial consultation workshops contributed to the study, which was followed by a national workshop to adopt a national strategy for that purpose. Further information is provided below in the section on the prsp project;

(d) Support to indigenous communities in three provinces in the areas of: training on the land laws of relevance to them; assistance in the drafting and registration of by-laws; and support to strengthening community governance and traditional structures for the purposes of the by-law and land registration process;

(e) Translation of the manual on ILO Convention No. 169 into Khmer;

(f) Provision of various comments to the Government of Cambodia on draft legislation that is likely to affect indigenous peoples;

(g) A needs assessment and project training strategy.

**National programme in Cameroon**

34. PRO 169 and the ILO Subregional Office in Yaoundé launched a national programme in Cameroon in October 2006. The overall objectives of the programme are to reinforce the capacity of actors involved in addressing indigenous issues in Cameroon, and to facilitate dialogue between those actors in two main areas: for a more systematic consideration of the rights, needs and priorities of indigenous peoples; and for improved mechanisms for their effective participation in the legislative, administrative and development processes affecting them. Activities undertaken during 2007 were:

(a) An assessment of the training needs of the programme's various partners (Government, indigenous peoples' organizations, non-governmental organizations, and trade unions);

(b) A study on the institutional and practical entry points for the inclusion of indigenous issues in the prsp process. One national consultation workshop contributed to the study, which will be followed by a national workshop to adopt a national strategy for that purpose. Further information is provided below in the section on the prsp project;

(c) A study and video documentation of good practices in methodologies and curricula for indigenous education, with specific reference to the observe, reflect and act methodology used among the Baka in Cameroon;

(d) Various technical inputs to official action plans under the Indigenous Peoples' Development Plan that concern indigenous communities directly.

**Poverty reduction strategy paper project**

35. With funding from the Danish Mission in Geneva, PRO 169 has implemented a one-year project to continue its work at the national level in Cambodia, Cameroon and Nepal on indigenous perceptions of poverty and their inclusion in the prsp process. The project has built on previous research and aims at exploring institutional and practical ways in which to include indigenous issues in the prsp processes in the three countries. The research has been undertaken in very different contexts, ranging from Cameroon, where specific programmes have been elaborated to address some indigenous issues within the context of the prsp, but where implementation is lacking, to Cambodia, where there is almost no mention of indigenous peoples in the prsp, but where the registration of collective land rights for indigenous peoples is included as a joint monitoring indicator, and to Nepal, where social inclusion of marginalized groups is one of the main pillars of the prsp. In all cases, there remain substantial technical, methodological, institutional and other challenges for the implementation of poverty reduction strategies that are appropriate for and benefit indigenous peoples, and national strategies have been drafted and discussed at national workshops. Follow-up will be undertaken within the context of existing programmes at the national level. In addition, a more general overview study of the processes in the three countries concerned, including guidance for a broader audience on how to include indigenous issues in prsp processes, will soon be available.

**Activities in Latin America**

36. Convention No. 169 has been widely ratified by Latin American countries and ILO is working to provide capacity-building, training, awareness-raising and technical advice to those countries in order to overcome implementation challenges. In that regard, the supervisory system of ILO provides important information that can guide the organization's technical cooperation. Over the last year, assistance has been provided to Government and indigenous partners in Argentina, Bolivia, Chile, Honduras and Peru, while ILO is in the process of developing a more comprehensive technical assistance programme in Latin America.

37. In 2007, ILO attended a regional coordination meeting of United Nations agencies where, inter alia, it was decided to undertake joint activities to promote the

United Nations Declaration on the Rights of Indigenous Peoples and Convention No. 169.

38. In addition, a series of case studies have been initiated in Bolivia, Argentina and Honduras to document good practices concerning the implementation of Convention No. 169. Towards the end of 2008, ILO will organize a conference to discuss and exchange good practices in the region.

39. In Bolivia, Ecuador and Peru, studies are currently being undertaken by the International Programme on the Elimination of Child Labour programme to document the situation of child labour in indigenous communities and a conference will be organized in March 2008 to discuss the findings of those studies.

**Indigenous Peoples and Local Economic Development programme**

40. The Indigenous Peoples and Local Economic Development (IP-LED) programme is part of the Danida-ILO indigenous peoples' partnership programme and is complementary to PRO 169. The IP-LED programme contributes to improving the socio-economic situation of indigenous peoples through support to local economic development initiatives started and led by indigenous peoples' communities.

41. Support to sustainable economic development programmes by indigenous peoples' communities is not high on international and national development agendas and Governments have at best adopted a welfare approach. Many indigenous peoples' communities possess vast human and environmental assets and traditional knowledge that can be mobilized for socio-economic development. Supporting communities to develop "from the inside out" by building on existing capacities and assets allows indigenous peoples' communities to become actors of change and find appropriate strategies to respond to the challenges from marginalization, globalization and climate change.

42. The IP-LED programme seeks to promote an approach to indigenous peoples' economic development based on the principles of local economic development, which is aligned with many indigenous peoples' aspirations for integrated area-based and asset-based community and local development. The primary objective is to contribute to the creation of healthy and enterprising indigenous communities by focusing on the identification of economic opportunities for women and men. Engaging in local economic development initiatives and documenting how indigenous communities contribute to national processes of development can lead to improved Government policies and approaches towards indigenous peoples.

43. In 2007, the programme primarily developed and supported activities in Kenya, Namibia and Nepal. In 2008, activities will continue in those countries and new activities will start in Cambodia and Cameroon.

**Kenya**

44. In Kenya, a partnership programme was established between the Maasai Cultural Heritage Foundation, the World Intellectual Property Organization and ILO to leverage the cultural heritage of the Laikipia Maasai in Kenya for the economic benefit of local communities. Some activities under the partnership were (a) a Maasai internship for three months in Geneva, leading to the development of a guidebook on intellectual property rights for the Maasai community, (b) an

assessment of economic potential in Laikipia based on local heritage products, and (c) support to the development of Maasai bead work, business development and marketing/branding, study tours, livestock marketing and eco-tourism.

### Namibia

45. In Namibia, in consultation with the Office of the Deputy Prime Minister, a three-year technical cooperation programme was developed to promote the rights of the San peoples and to improve their socio-economic situation through local economic development initiatives. The proposal was later incorporated into a United Nations-wide programme on sustainable cultural tourism funded under the United Nations Development Programme/Spain Millennium Development Goals Achievement Fund. The joint United Nations programme focuses on protecting the cultural and national heritage of Namibia and leveraging this for sustainable tourism that will contribute to poverty reduction and economic development of communities across Namibia, including for San peoples' communities.

### Nepal

46. In Nepal, a large three-year local economic development programme was launched, which includes a component for the indigenous nationalities of Nepal. It focuses on strengthening the local economies through labour-based infrastructure development, skills and business development. As a basis for 2008 interventions, a detailed study was prepared mapping the various indigenous nationalities settled in the target districts, including (a) a profile of their decision-making structures and participation of women and (b) access to relevant administrative and political institutions, health services, traditional knowledge and natural resources. The study concludes with recommendations on potential new economic opportunities and how relevant local administrative structures may ensure the rights of consultation and participation in future programmes.

## VIII. International Labour Organization capacity-building programmes on indigenous issues

### Training

47. As part of its broader mainstreaming and capacity-building strategy, PRO 169 organized a number of training activities during 2007. It contributed to the OHCHR Indigenous Fellowship Programme and undertook training activities at the international, national and local levels as integral components of longer-term processes to address indigenous issues.

48. The examples cited here are of international training activities and the internship initiative. National-level capacity-building efforts are outlined in section VII of the report, where they are contextualized in the outline of national programmes. Further information on all the examples cited here can be found on the ILO website.

### Contribution to the United Nations Indigenous Fellowship Programme

49. ILO contributes on an annual basis to the Indigenous Fellowship Programme of OHCHR. During 2007, each of the four groups of fellows in the programme

(English, French, Russian and Spanish-speaking) participated in comprehensive training at ILO for periods of one to two weeks, depending on the group. During 2008, the ILO component of the Fellowship Programme will combine training for the fellows, with training for additional participants, including project partners, in order to increase cost efficiency and open the ILO component to a broader range of interested actors.

**Interregional training**

50. In September 2007, ILO conducted its annual, interregional training course on "indigenous peoples: rights and good practices" at the ILO International Training Centre in Turin, Italy. The aims of the course were to strengthen the capacity of indigenous and tribal peoples' representatives, policymakers and national and international professional staff to promote and apply indigenous peoples' rights in the context of policy development and dialogue as well as technical cooperation programmes and to support indigenous and tribal peoples' communities in identifying and designing their own local economic development strategies.

51. Participants in the course included indigenous representatives and resource persons, ILO and development agency staff, and Government representatives. Among the participants were several representatives from non-governmental organizations, indigenous organizations and parliamentarians from Nepal, which recently ratified Convention No. 169.

**Internship programme**

52. PRO 169 has now established a practice, where possible, of engaging indigenous interns to undertake on-the-job training with the project at its headquarters in Geneva and in ILO offices where PRO 169 has national projects. Such internships not only contribute to the capacity-building of the interns, but also enable PRO 169 to benefit from their perspectives, experience and knowledge as indigenous persons. Among the interns that PRO 169 has hosted are former OHCHR indigenous fellows from Bangladesh and Panama and two from the Philippines. An additional, former indigenous fellow will undertake an internship with the project in 2008. Moreover, PRO 169 has hosted several other indigenous interns in Geneva and at national and provincial levels in Cambodia. Additional indigenous interns from Japan and Nepal will join the project in 2008 in Geneva, as well as in the ILO office in Kathmandu.

# IX. International Labour Organization activities under the Second Decade

*Objective 1: promoting non-discrimination and inclusion of indigenous peoples in the design, implementation and evaluation of international, regional and national processes regarding laws, policies, resources, programmes and projects*

53. Under the first objective of the Decade, the current and foreseen International Labour Organization activities to examine issues of gender equality as they relate to indigenous peoples, as well as work on the linkages between Conventions Nos. 111 and 169, and discrimination against traditional occupations of indigenous peoples,

could be considered as a contribution to the objective. Further information on this work is provided in sections III and VII of the present report.

54. Furthermore, most of the PRO 169 activities at the national level involve components of capacity-building to enable indigenous peoples to engage in dialogue on issues and processes affecting them, including in poverty reduction strategy papers (Cambodia, Cameroon and Nepal), legislative processes (Cambodia and Nepal) and in the implementation of such laws and policies. Various global training programmes undertaken by PRO 169 also contribute to the objective. Further information is provided in section VII of the present report.

*Objective 2: promoting full and effective participation of indigenous peoples in decisions which directly or indirectly affect their lifestyles, traditional lands and territories, their cultural integrity as indigenous peoples with collective rights or any other aspect of their lives, considering the principle of free, prior and informed consent*

55. In Cambodia, PRO 169 has been working since April 2005, and will continue to do so at least until December 2010, on the registration of indigenous communities as legal entities in order for them to be in a position to claim collective title to lands. Further information is provided in section VII of the present report.

56. With regard to the principle of free, prior and informed consent, consultation and participation constitute core principles of all PRO 169 work. These principles have been elaborated to some extent under the supervision of Convention No. 169 by the ILO Committee of Experts on the Application of Conventions and Recommendations as well as under the representations procedure, which is a constitutional procedure of ILO whereby allegations of non-observance of ratified conventions are examined by a tripartite committee and relevant recommendations are issued to the State in question. Furthermore, through the studies on best practices for the implementation of Convention No. 169, PRO 169 hopes to develop a series of practical tools to guide a broader range of actors than its own project partners in the adequate implementation of the principles of the Convention, with a particular focus on consultation and participation. Further information is provided in section VII of the present report.

*Objective 3: redefining development policies that depart from a vision of equity and that are culturally appropriate, including respect for the cultural and linguistic diversity of indigenous peoples*

57. PRO 169 has been working towards the integration of indigenous issues into poverty reduction strategy paper documents and their implementation in three countries. Further information on PRO 169 work on poverty reduction strategy papers and indigenous peoples is provided in section VII of the present report.

*Objective 4: adopting targeted policies, programmes, projects and budgets for the development of indigenous peoples, including concrete benchmarks, and particular emphasis on indigenous women, children and youth*

58. Regarding objective 4, in particular the adoption of benchmarks for the implementation of policies, as indicated in section I of the present report, PRO 169 is currently examining the possibilities for establishing a set of indicators for the implementation of Convention No. 169. That work will continue during 2008.

*Objective 5: developing strong monitoring mechanisms and enhancing accountability at the international, regional and in particular, the national level, regarding the implementation of legal, policy and operational frameworks for the protection of indigenous peoples and the improvement of their lives*

59. Once ratified, the application of ILO conventions is monitored by the organization's supervisory bodies. The supervision of Conventions Nos. 107 and 169 is of course of direct relevance for indigenous peoples, but issues pertaining to indigenous peoples are also increasingly raised in the context of a number of other conventions, for example, addressing discrimination and child and forced labour.

60. In general, in order to ensure effective monitoring and implementation of legal and policy frameworks for the protection of indigenous peoples, it is necessary to establish reliable data and feasible indicators as a basis. The current concern of PRO 169 with the establishment of indicators for the implementation of Convention No. 169 will contribute to the establishment of monitoring mechanisms.

61. Again, ILO work towards the implementation of Convention No. 169 in Nepal, as well as the current documentation by PRO 169 of best practices for the implementation of the Convention will generate key lessons that will be of direct relevance for other countries wishing to improve their implementation of the Convention or of its principles.

**The Decade in the African region**

62. In November 2007, ILO participated in a workshop hosted by OHCHR on the implementation of the Second Decade in the African region. The workshop was held in Brazzaville and resulted in a number of key recommendations for United Nations agencies, including ILO, on the manner in which they could contribute to the implementation of the Decade. The report of that workshop will be available shortly.

## X. Suggestions regarding the theme of the next session of the Permanent Forum

63. ILO recommends that the Permanent Forum, at its next session, address the theme of discrimination or indigenous peoples and conflict.

**Discrimination**

64. Discrimination could be considered as a cross-cutting theme, impacting on the ability of indigenous peoples to fully enjoy the rights accorded to them under international and national laws, as well as the possibility for them to become equal partners in development. ILO has undertaken a number of studies on discrimination and indigenous peoples in respect of employment and occupation, and gender discrimination, that have demonstrated the centrality of the issue, as well as its pervasiveness. Furthermore, discrimination is an issue dealt with directly by a large number of United Nations agencies, non-governmental organizations and other relevant actors, which would imply a broad range of substantial contributions to the debate. **As the first objective of the Second International Decade of the World's Indigenous People is promoting non-discrimination, ILO would strongly recommend discrimination as the next theme of the Permanent Forum.**

**Indigenous peoples and conflict**

65. The second theme that ILO recommends for the consideration of the Permanent Forum is indigenous peoples and conflict. Recent ILO experience has demonstrated the potential of instruments that protect the rights of indigenous peoples, such as Convention No. 169, for addressing situations of conflict where indigenous issues constitute a central consideration. Examples include Nepal, where Convention No. 169 was ratified in September 2007, as an integral component of the process to restore peace and democracy. Other examples of using indigenous rights as a tool for conflict resolution can be found in Guatemala (where it was ratified as part of the peace accords) and a number of other countries. **Given that indigenous peoples often find themselves in situations of conflict, ILO recommends indigenous peoples and conflict as a second option for the theme of the next session of the Permanent Forum.**

# XI. List of International Labour Organization events on indigenous issues in 2008

66. In the context of ongoing country-level programmes, a series of activities are foreseen in Bangladesh, Cambodia, Cameroon, Peru and Nepal. In addition, the following major regional or international events are foreseen:

(a) Three regional workshops to discuss and exchange good practices regarding the implementation of Convention No. 169 in Africa, Asia and Latin America;

(b) Two regional workshops to disseminate the results of the research on the legal protection of the rights of indigenous peoples in Africa;

(c) A series of training courses conducted in English, French, Spanish and Russian on indigenous issues.